

ORDER FOR SUPPLIES OR SERVICES

PAGE OF PAGES

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IMPORTANT: Mark all packages and papers with contract and/or order numbers.

1. DATE OF ORDER 05/18/2017		2. CONTRACT NO. (If any) EP-S1-17-01/ 1013.17.702207		6. SHIP TO: a. NAME OF CONSIGNEE Region 1	
3. ORDER NO. 0002		4. REQUISITION/REFERENCE NO. PR-R1-17-00205		b. STREET ADDRESS US Environmental Protection Agency 5 Post Office Square	
5. ISSUING OFFICE (Address correspondence to) Region 1 US Environmental Protection Agency 5 Post Office Square Boston MA 02109-3912		c. CITY Boston		d. STATE MA	e. ZIP CODE 02109-3912
7. TO: DEBRA HEIMS		f. SHIP VIA			
a. NAME OF CONTRACTOR KGSNE JV LLC		8. TYPE OF ORDER			
b. COMPANY NAME		<input type="checkbox"/> a. PURCHASE REFERENCE YOUR: Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated.		<input checked="" type="checkbox"/> b. DELIVERY Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.	
c. STREET ADDRESS 160 E MAIN ST STE F		d. CITY WESTBOROUGH		e. STATE MA	f. ZIP CODE 01581
9. ACCOUNTING AND APPROPRIATION DATA See Schedule		10. REQUISITIONING OFFICE			

11. BUSINESS CLASSIFICATION (Check appropriate box(es)) <input checked="" type="checkbox"/> a. SMALL <input type="checkbox"/> b. OTHER THAN SMALL <input checked="" type="checkbox"/> c. DISADVANTAGED <input type="checkbox"/> d. WOMEN-OWNED <input type="checkbox"/> e. HUBZone <input type="checkbox"/> f. SERVICE-DISABLED VETERAN-OWNED <input type="checkbox"/> g. WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOSB PROGRAM <input type="checkbox"/> h. EDWOSB				12. F.O.B. POINT Destination	
13. PLACE OF a. INSPECTION Destination		b. ACCEPTANCE Destination		14. GOVERNMENT B/L NO.	
				15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) 04/04/2022	
				16. DISCOUNT TERMS	

17. SCHEDULE (See reverse for Rejections)

ITEM NO. (a)	SUPPLIES OR SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	DUNS Number: 080524976 TOCOR: Laura Chan Max Expire Date: 04/04/2022 Continued ...					

SEE BILLING INSTRUCTIONS ON REVERSE	18. SHIPPING POINT		19. GROSS SHIPPING WEIGHT		20. INVOICE NO.		17(h) TOTAL (Cont. pages)
	21. MAIL INVOICE TO:						
	a. NAME RTP Finance Center						\$532,594.00
	b. STREET ADDRESS (or P.O. Box) US Environmental Protection Agency RTP-Finance Center (AA216-01) 109 TW Alexander Drive www2.epa.gov/financial/contracts						\$532,594.00
c. CITY Durham			d. STATE NC	e. ZIP CODE 27711		17(i) GRAND TOTAL	

22. UNITED STATES OF
AMERICA BY (Signature)

05/18/2017

ELECTRONIC
SIGNATURE23. NAME (Typed)
Ian Epstein
TITLE: CONTRACTING/ORDERING OFFICER

ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION

PAGE NO
2

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER 05/18/2017	CONTRACT NO. EP-S1-17-01/1013.17.702207	ORDER NO. 0002
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ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
0001	<p>Admin Office: Region 1 US Environmental Protection Agency 5 Post Office Square Boston MA 02109-3912</p> <p>Accounting Info: 16-TD-01P-501EC7-2505-01ZZQV00-C001-1701PEP5 02-001 BFY: 16 Fund: TD Budget Org: 01P Program (PRC): 501EC7 Budget (BOC): 2505 Job #: 01ZZQV00 Cost: C001 DCN - Line ID: 1701PEP502-001 Period of Performance: 05/18/2017 to 04/04/2022</p> <p>Technical Support Activities (Enforcement) TO in accordance with PWS</p> <p>United States Environmental Protection Agency Region 1 8(a) Superfund Technical Assessment & Response Team (START)Task Order # 2 Technical Support Activities (Enforcement). CLIN 1 total ceiling for 5 years of Non-Level A Labor, Routine Equipment, Travel, Specialized Labor, Non-Routine Equipment, Other Direct Costs and Field Subcontracts.</p> <p>Work to include but not limited to: Gathering and analysis of technical information and related data, the preparation of draft technical reports and related materials on oil and hazardous substance investigation, assessment cleanup, disposal technologies, process activities, operations, problems, and trends. Such as Enforcement Support, Multi-media Surveys and Inspections, Treatability Studies, Engineering Evaluation and Cost Analysis, Public Participation Support, Administrative Records Support, General Technical Support. See full SOW for all work. Incrementally Funded Amount: \$50,000.00</p> <p>H9. Task Order Conflict of Interest Certification and Technical Direction Continued ...</p>				532,594.00	

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H))

\$532,594.00

ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION

PAGE NO
3

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER	CONTRACT NO.	ORDER NO.
05/18/2017	EP-S1-17-01/1013.17.702207	0002

ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	Document Conflict of Interest Notification is applicable. Work will be ordered using Task Orders (TO's) issued by the Contracting Officer (CO). The work will be performed under the task order as specified in the Technical Direction Documents (TDDs) issued by the CO, Project Officer (PO), or Alternate PO in accordance with the Section H clause entitled, "Technical Direction Documents". The Government will issue performance based type task orders unless otherwise determined inappropriate by the CO. Task orders will be issued on a fixed rate basis dependent on the nature of the services being provided.					

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H))

\$0.00

United States Environmental Protection Agency

Statement of Work

Superfund Technical Assessment & Response Team
(START)

REGION 1 8(a)
TASK ORDER # 2

I. Introduction

A. Purpose

The purpose of the Superfund Technical Assessment and Response Team (START) contract is to provide nationally consistent advisory and assistance services to Environmental Protection Agency (EPA) On-Scene Coordinators (OSCs) and other federal officials implementing EPA's responsibilities under the national response system. These responsibilities are described in the background below. The contractor shall fulfill these responsibilities within the region as well as outside the region on a backup regional response, cross regional response, national response, and international response. The contractor shall be prepared to provide scientific/technical support for EPA activities in furtherance of the agency's primary mission: the protection of human health and the environment. Additionally, the contractor shall provide advisory and assistance services to other programs, such as site assessment, Brownfields Program, and remedial support activities. For each assigned task, the contractor shall provide appropriately experienced, trained, and accredited personnel with current credentials/certifications, as well as all supplies, materials, tools, and equipment necessary to complete the job.

B. Background

Under the authority of legislation, Presidential Directives, and promulgated regulations, EPA is responsible for protecting human health and the environment. EPA is delegated authority to undertake removal and remedial response actions with respect to the release or threat of release of oil, hazardous substances, or pollutants and contaminants. The National Response Framework (NRF) is the principle federal mechanism for responding to releases of hazardous substances and oil, utilizing a multi-layered network of individuals and teams for federal, state and local agencies, and industry.

EPA's role under the NRF is to respond to emergencies within its area of jurisdiction, with respect to the release/discharge or threat of release/discharge of oil, hazardous substances, pollutants, contaminants, or fire or explosion hazard. Under several federal and regional contingency plans (RCP), EPA has the responsibility for coordinating all federal, state, local, and private efforts associated with responding to environmental emergencies. EPA is required to respond to chemical, biological, radiological, and nuclear (CBRN) events as part of a disaster or counter terrorism/weapons of mass destruction (CT/WMD) incident. EPA supports states and communities in their preparedness and response activities. EPA is responsible for conducting evaluations and cleanups of uncontrolled hazardous substance disposal sites and placing those that are considered to pose a significant threat to human health or the environment on the National Priorities List (NPL).

Site assessment is the first step in determining whether a site meets the criteria for placement on the NPL. Listing a site on the NPL is one tool among many that are available to EPA and state cleanup program managers to accomplish the cleanup of contaminated waste sites. For additional information, see EPA Office of Solid Waste and Emergency Response (OSWER) Directive 9203.1-06, "Guidance on Setting Priorities for NPL Candidates sites."

Generally, brownfield sites are real property where the expansion, re-development, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. The formal definition of a brownfield site is found in Public Law 107-118 "Small Business Liability Relief and Brownfields Revitalization Act" of January 11, 2002.

II. Technical Requirements

The technical requirements under this Statement of Work (SOW) include response, preparedness and prevention, assessment and inspection, technical support, and training. Exhibit A – Specific Tasks List, identifies tasks that may be performed to satisfy contract requirements.

A. Technical Support Activities

The requirements under this section include the gathering and analysis of technical information and related data, the preparation of draft technical reports and related materials on oil and hazardous substance investigation, assessment cleanup, disposal technologies, process activities, operations, problems, and trends.

1. Multi-media Surveys and Inspections

The contractor shall provide technical support to EPA for multi-media surveys and inspections activities. EPA conducts multi-media surveys and inspections at facilities where hazardous substances are managed, treated, stored, or disposed. EPA also conducts these activities at the release of environmental hazardous substances. These activities may support multiple environmental regulations and/or programs.

2. Treatability Studies

The contractor shall perform treatability studies in accordance with EPA 540-R-92-071A, “Guide for Conducting Treatability Studies Under CERCLA” available at <https://nepis.epa.gov/Exe/ZyPDF.cgi/100020Z1.PDF?Dockey=100020Z1.PD>, National Technical Information Service (NTIS) Order Number# PB93-126787IN; and provide for laboratory, bench, and /or pilot scale treatability studies. The treatability study provides waste treatment and site specific response data to support the feasibility and use of technologies at a site.

3. Engineering Evaluation and Cost Analysis

After EPA issues the engineering evaluation and cost analysis (EE/CA) approval memorandum, the contractor shall conduct EE/CA activity in accordance with EPA 540-R-93-057, “Guidance on Conducting Non-Time Critical Removal Actions Under CERCLA,” dated August 1993. This document is available at <http://www.ntis.gov> as publication number PB93-963402. EE/CAs are required for non-time critical removal actions.

The purpose of the EE/CA is to allow public participation in the removal decision process, if time permits, and give consideration to alternatives to land disposal. The goal of an EE/CA is to identify the objectives of the removal action and to analyze various alternatives.

4. Public Participation Support

The contractor shall perform public participation activities in accordance with EPA OSWER Directive 9360-05, “Public Participation Guidance for On-Scene Coordinators: Community Relations and the Administrative Record,” dated June 1992, and “Community Relations in Superfund: A Handbook,” dated January 1992; and provide technical support to EPA in the development, planning, and implementation of community relations and public support activities.

5. Site Discovery Program

The contractor shall support EPA’s determination of whether sites require additional site assessment activities by collecting, recording, and analyzing detailed information about the site; and perform site discovery activity in accordance with EPA OSWER Directive 9375.2-11FS, “Improving Site Assessment: Pre-CERCLIS Screening Guidance,” dated October, 1999. The purpose of the Site

Discovery Program is to determine whether sites require additional site assessment activities. The guidance is available at <https://semspub.epa.gov/work/HQ/174018.pdf>.

6. Human Health/Ecological Risk Assessment

The contractor shall perform human health and ecological risk assessments in accordance with relevant guidance. Toxicity values can be sought using the Integrated Risk Information System (IRIS), Health Effects Summary Tables, and other sources. Risk assessment may include, but is not limited to data collection and evaluation, exposure assessment, toxicity assessment, and risk characterization.

7. Administrative Records Support

The contractor shall provide technical support to EPA for compiling information for inclusion in the Administrative Record, as defined in Section 113(k) of CERCLA. The Administrative Record includes records, data, and guidance that EPA uses to determine the federal response action.

8. Enforcement Support

The contractor shall provide EPA with technical support, including financial analysis support, for government enforcement at sites. The primary goal of EPA's enforcement program is to identify PRPs and to obtain voluntary settlement, to compel PRPs to implement site cleanups, or, if necessary, if PRPs are unable to implement site cleanups due to inability to pay claims, confirm whether PRPs have financial resources to justify their inability to pay or their ability to make a payment to EPA for its response costs. Once the PRP has agreed to take response actions, the goal of the enforcement program is to ensure that the assessment or cleanup activities are performed in accordance with applicable statute(s), the NCP, and any other relevant guidance.

9. General Technical Support

The contractor shall provide information, analysis, options, and recommendations for implementing emerging technologies and maintaining program currency.

The contractor shall provide information and options, which will enable EPA to draft specifications for EPA program activities. The specifications are used in connection with the provision of technical and cleanup support. The contractor shall provide information for EPA's review and approval. EPA will make the final determination of the acceptability of the information the contractor submits. Examples of technical specifications include data for developing site safety plans for response personnel and the public, information on local contingency planning, methods of hazard mitigation, containment, countermeasures, on-site treatment systems, removal and disposal options, and personnel and equipment requirements.

III. Documentation Requirements

In the course of performing tasks identified in this SOW, the contractor shall submit all analyses, options, recommendations, reports, training materials, and any other work products in draft form for review by the Contracting Officer (CO) or the COR prior to use or distribution.

The contractor shall not publish, release, use, or disclose any work product generated under this SOW without EPA's written approval; interpret EPA policies or regulations when conducting any training, seminars, or presentations; and/or provide any legal advice or legal interpretations.

The Government will make all final regulatory, policy, and interpretative decisions resulting from contractor provided advice and assistance; and will also make all final decisions regarding compliance determinations, or the violations of an order, law, regulation, etc.

The contractor shall submit documents that demonstrate a good command and correct usage of the English language (e.g, discussion of facts flow in a coherent and organized manner); use proper grammar (noun and verb tense correspond, etc.); and are free of incomplete sentences and misspelled words.

For deliverables that contain recommendations, the contractor shall explain or rank policy; explain or rank alternative actions; describe procedures used to arrive at recommendations; summarize the substance of deliberation; report any dissenting views; and cite sources relied upon.

Exhibit A – Specific Tasks List

This list is not intended to be all inclusive, but it is a historically based list of tasks that support the SOW requirements. For ease of organization, tasks are arranged by the activity where they have typically occurred first, for example, identification of local and elected officials could be performed as either a Response or Assessment activity. Therefore, since Response is the first activity in the SOW the task is listed under Response. This exhibit structure does not preclude using a task in any other contract activity.

SOW Activities:

A. TECHNICAL SUPPORT

The contractor shall support EPA in the following tasks:

1. Locate and review files of waste generator(s), site owner(s), site operator(s), and other documents relating to past operator(s), for example, deeds and other title documents, corporate documents and court transcripts.
2. Interview site owner(s), operator(s), state/local officials, residents, and other interested parties.
3. Provide a written record of PRP identification efforts to assist EPA in determining cost liability.
4. Identify PRPs.
5. Analyze the accuracy, timeliness, and completeness of PRP reports.
6. Document PRP activities and provide negotiation support.
7. Verify PRP compliance with enforcement orders.
8. Analyze PRP documents and actions for compliance with enforcement actions.
9. Conduct corporate, deed and title searches.
10. Provide appraisals of real property.
11. Analyze financial information provided by PRPs through various methods including but not limited to: 1) considering and addressing EPA guidance on ATP review set forth in EPA's September 30, 1997 General Policy on Superfund Ability to Pay Determinations ("ATP"), OECA; 2) EPA's INDIPAY and MUNIPAY models; 3) independent analysis of the financial information; 4) independent title and corporate research; and 5) independent internet research.
12. Provide financial analysis and corporate research. Financial analysis should take into consideration the ability of PRPs to pay response costs and still maintain basic business operations, including consideration of the overall financial condition of the entity (e.g., including individual, partnership, corporation) and demonstrable constraints on the ability of the entity to raise revenues, including financing alternative such as borrowing, or reduced officer or other compensation. Financial Analysis reports shall be written in a context that addresses or acknowledges EPA's ATP guidance and be written so that EPA staff can use it to formulate an EPA position on ATP of the entity under review, and be able to explain the findings to the PRPs, both so as to promote affordable and creative settlements and recover response costs.
13. Develop public information summaries for internet distribution.
14. Disseminate EPA-approved information to the public.
15. Provide expert testimony.
16. Provide health indication sampling and analysis.

17. Provide engineering design products and services.
18. Collect and compile data from spill reports, pollution reports (POLREP) and spill notification phone lines.
19. Provide COR-approved information to the state, local, or natural resource trustee agencies.
20. Input data from spill reports.
21. Provide information for Freedom of Information Act (FOIA) request responses and to evaluate facilities' release history for inclusion in COR specified internet websites.
22. Maintain an electronic emergency information system that contains all contingency plans, databases, and geographic information necessary to support emergency operations. This system must be accessible from field locations via the internet.
23. Provide technical support to EPA for the identification of PRPs associated with a site, facility, and/or release.
24. Provide technical and administrative support to EPA for notification of PRPs as to their status related to a site, facility, and/or release.
25. Provide technical support to EPA in connection with proceedings against owners or operators of facilities operating in violation of reporting requirements and uncontrolled hazardous substances present. Such technical support will include providing background technical information to EPA in obtaining an injunction against continued use of the site, an order to undertake remedial action, or recovery of cost incurred by the government in undertaking such action.
26. Provide technical support to EPA in enforcement case development support including well drilling and sampling, field sampling, geophysical surveys, well inventories and other support to provide evidence to support EPA litigation or negotiation with PRPs. Work may be undertaken to fill a variety of data gaps related to extent of contamination and damages or to augment enforcement investigation efforts.
27. Provide technical and administrative support to EPA in the development of an enforcement plan.
28. Collect and review available data and background information about a site, facility, or release. This shall include information about the nature of the waste present, waste management at the site, environmental data, and health data. Collection of data also includes photographic and cartographic documentation of site conditions.
29. Analyze and document the extent of an incident, the potential hazards, type of resources needed, and the actions of the PRPs to respond.
30. Draft lessons learned reports.
31. Design, develop, prepare, analyze, and report observations of planning, training, and drills/exercises to provide options for preparedness and operational readiness of the RRT and the response community within the region.
32. Analyze responses to discharges of oil and releases of hazardous substances, pollutants or contaminants, assess equipment availability, readiness, and coordination among RRT member agencies, and other public and private agencies.
33. Document and analyze plans and planning efforts for the Regional Contingency Plan, Area Plans, and special subject plans.
34. Provide logistical support for scheduled RRT meetings.
35. Select and reserve meeting space.
36. Arrange site tours and meetings.
37. Develop visual aids to include computer driven presentations.
38. Document technical meeting minutes.
39. Provide a technical summary of the meeting.

40. Attend scheduled RRT meetings.
41. Develop and update the RRT mailing list, an RRT e-mail list, and an e-mail group distribution capability to send EPA approved and EPA-authorized notices.
42. Accompany the EPA during on site facility surveys and inspections at sites, facilities or releases where hazardous waste contaminants or pollutants are managed, treated, stored or disposed.
43. Record and document compliance with applicable or relevant and appropriate federal and state requirements related to environmental statutes such as the Resource Conservation and Recovery Act (RCRA) or CWA.
44. Compile multi-media checklists to be used at sites, facilities, or releases. During the performance of multi-media surveys and inspections the contractor may have access to CBI. The contractor shall treat all CBI in accordance with the CBI clauses in the contract.
45. Perform literature surveys including the use of the Alternative Treatment Technology Information Center, the Superfund Innovative Technology Evaluation Program, the Record of Decision Systems database, and the Risk Reduction Engineering Laboratory Treatability Database. Access to be provided by EPA, if necessary.
46. Prepare project planning documents to include the following: work plan, field operations plan, health and safety plan, and/or quality assurance project plan specifically for treatability study efforts.
47. Perform laboratory, bench, and/or pilot-scale testing of established, emerging, and/or innovative technologies.
48. Evaluate the effectiveness and compliance of the tested or proposed technologies with federal and state requirements. EPA will review all evaluations and make any and all decisions or determinations regarding the proposed technologies.
49. Report the findings of the studies to EPA.
50. Oversee and review treatability studies being performed by PRPs.
51. Provide technical and administrative support in the preparation of a draft EE/CA approval memorandum. All final EE/CA approval memoranda will be prepared by EPA.
52. Provide technical and administrative support in preparing a draft EE/CA report, which shall include the following sections: site characterization, identification of removal action objectives, identification of ARARs, identification and initial screening of removal action alternatives, analysis of removal action alternatives, comparative analysis, and selection of the removal action. While the contractor will analyze the alternative removal actions, final decisions, determinations and judgments will be made by EPA.
53. Provide technical and administrative support for the preparation of a summary of the responses by interested parties.
54. Conduct community interviews to develop an understanding of local concerns and desired involvement as part of the development of the Community Relations Plan.
55. Prepare a community relations plan in accordance with Community Relations in Superfund: A Handbook, January 1992.
56. Provide data management for tracking community relations activities, including milestones in community relations plans.
57. Establish and update information repositories at or near the facility.
58. Prepare general or site specific fact sheets.
59. Provide support in planning and conducting public meetings and technical discussions involving PRPs and the public. This support will include the provision of audio-visual aids and reports as required by EPA.

60. Assist in planning and conducting public briefings, conferences, workshops, community conferences, and training workshops.
61. Write and/or place newspaper notices regarding the availability of site-related documents and public meetings.
62. Provide recording/transcript services for public meetings or for the administrative record.
63. Prepare studies and reports evaluating the effectiveness of community relations efforts and other topics of general interest, such as how incineration is perceived, and how to improve on communication regarding alternative and innovative technologies.
64. Provide for a complete and operating public information office at locations specified by task orders. Such a public information office shall be maintained and operated by the contractor to provide the public with access to EPA generated informational documents concerning sites.
65. Assemble EPA-provided records.
66. Organize, maintain, and duplicate materials.
67. Compile documents for the administrative record.
68. Publicize location of the repository in local newspapers.
69. Coordinate records compilation with state offices and federal facilities.
70. Organize and compile records for enforcement cases.
71. Operate government-owned equipment at the direction of the OSC, to include vehicles.
72. Maintain and calibrate government equipment in accordance with OSC and/or manufacturer's instructions, to include vehicles.
73. Pick up, transport, and deliver necessary government equipment to and from response sites, to include vehicles.
74. Decontaminate equipment operated by the government at a response site prior to its being transported away from that location.
75. Collect and summarize all incurred cost documentation in support of costs incurred, using existing cost documentation systems and adjust media storage to reflect EPA implementation of advances in automated methods.
76. Perform an audit of cost documentation based upon EPA provided guidance.
77. Produce a documentary audit trail to establish proof of costs incurred using existing systems and other documentation guidance.
78. Ensure that the cost document compilation is complete.
79. Provide technical support in developing proof to support allocation of non-site specific charges on a site specific basis.
80. Accumulate and verify all costs incurred in connection with a site or sites by reconciling all supporting documentation with data in agency financial and documentation systems.
81. Provide technical support in reviewing all cost documentation or accounting procedures for deficiencies and/or potential sources of challenge.
82. Maintain an organized cost package or cost document file that includes cost summaries for each cost element claimed together with organized supporting documentation.
83. Research state or other federal agency accounting procedures to the extent necessary to enable a complete audit of costs incurred by the state or other agency in connection with Superfund sites.
84. Review and analyze audits or technical reports for relevance to cost claims.
85. Provide technical support in the review of pertinent EPA files and documents necessary to substantiate a close-out memorandum. The close-out memorandum will be prepared by EPA, with technical support from the contractor, when appropriate.

86. Gather documents from EPA that authorized the work and documents that provide evidence that work was performed.
87. Provide support in collating, refiling, and organizing the above information as needed.
88. Contractor will provide assistance in completing the required State Voluntary Cleanup Program technical reporting and documentation to help Targeted Brownfields Assessment recipients enroll a site into the state cleanup program.

Exhibit B – Statutory and Regulatory Framework

SUPERFUND - GENERAL

This list is a representative sample and is not intended to be all inclusive.

- I. Laws - Statutes
 - Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund) (1980), (42 U.S.C. s/s 9601 et. seq.), as amended
 - Superfund Amendments and Reauthorization Act (SARA) (1986)
 - Community Environmental Response Facilitation Act (1992)
 - Asset Conservation, Lender Liability, and Deposit Insurance Protection Act of 1996 (1996)
 - The Small Business Liability Relief and Brownfields Revitalization Act (2002)
 - Clean Water Act (CWA) (1972), (33 U.S.C. s/s 1251 et. seq.) - particularly Section 311
 - Oil Pollution Act (OPA) (1990)
 - Resource Conservation and Recovery Act, particularly Subtitle I
 - Emergency Preparedness and Community Right-to-Know Act (EPCRA)
 - Robert T. Stafford Natural Disaster Act (Stafford Act), (42 USC 5121, et. seq.), as amended
 - Homeland Security Act, Public Law 107-296
 - Clean Air Act, (42 USC 85), as amended
- II. Code of Federal Regulations (CFR)
 - National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300
- III. Federal Registers (FR) (significant notices)
 - 50 FR 47912; November 20, 1985 - NCP Final Rule (revisions added by CERCLA)
 - 55 FR 8666; March 8, 1990 - NCP Final Rule (revisions added by SARA)
 - 59 FR 47384; September 15, 1994 - NCP Final Rule (revisions added by OPA)
- IV. Executive Orders and Presidential Decision Directives
 - EPA's homeland security priorities are based largely on responsibilities outlined in HSPDs at <http://www.epa.gov/homelandsecurityportal/laws-hspd.htm>. The following have specific EPA tasking:
 - a. HSPD-5: Management of Domestic Incidents, 2003

- b. HSPD-7: Critical Infrastructure Identification, Prioritization, and Protection, December 2003 (HSPD-7 updates Presidential Decision Directive (PDD)-63, Critical Infrastructure Protection from May 1998)
- c. HSPD-8: National Preparedness, December 2003
- d. HSPD-9: Defense of U.S. Agriculture and Food, January 2004
- e. HSPD-10: Biodefense for the 21 Century, April 2004
- f. HSPD - 12, Policies for Common Identification Standard for Federal Employees and Contractors, 22 August 2004.
- g. HSPD-20: National Continuity Policy, May 2007
- PDD - 39, U.S. Policy on Counter terrorism, 21 June 1995.
- PDD - 62, Protection Against Unconventional Threats to the Homeland and Americans Overseas, 22 May 1998.
- National Security Presidential Directive - 33, Biodefense for the 21st Century, 28 April 2004
- PDD - 2, Implementation of the National Strategy for Countering Biological Threats, 23 November 2009.
- E.O. – 13527, Establishing Federal Capability for the Timely Provision of Medical Countermeasures Following a Biological Attack, 30 December 2009.
- U.S. Policy on Counter-terrorism, dated June 21, 1995 can be located at (www.fas.org/irp/offdocs/pdd39.htm).
- National Response Framework, Department of Homeland Security/FEMA, January 2008

V. Policies and Guidance

- CERCLA/Superfund Orientation Manual, EPA Document Number: 542-R-92-005, website: <http://www.epa.gov/superfund/policy/remedy/pdfs/542r-92005-s.pdf>
- General Policy on Superfund Ability to Pay Determinations, OECA, September 30, 1997

VI. Other References and Resources

- Superfund Home Page, website: <http://www.epa.gov/superfund>
- Superfund 30th Anniversary Report, website: <http://www.epa.gov/superfund/30years/>

DISCOVERY & NOTIFICATION

I. Laws - Statutes

- Section 103 of CERCLA as amended
- Section 304 of EPCRA (1986)
- Section 311 of CWA, as amended by the OPA

II. CFR

- 40 CFR Part 302 - Designation, Reportable Quantities, and Notification
- 40 CFR Part 355 - Emergency Planning and Notification
- 40 CFR Part 110 - Discharge of Oil
- 40 CFR 300.405 - Discovery and Notification (Hazardous Substances)
- 40 CFR 300.300 - Phase 1 - Discovery or notification (Oil)

III. Federal Registers (significant notices)

- 46 FR 22144 - April 15, 1981 - Hazardous Substances Notification of Treatment, Storage, and Disposal Facilities
- 50 FR 13456 - April 4, 1985 - Release Notification Requirements for CERCLA
- 52 FR 13378 - April 22, 1987 - Release Notification Requirements for EPCRA
- 55 FR 45039 - August 25, 1993 - Oil Discharge Regulations
- 61 FR 7421 - February 28, 1996 - Oil discharge Regulations

IV. Other Resources

- Emergency Response Program Reporting website:
<http://www.epa.gov/epahome/violations.htm>

REMOVAL PROCESS

I. Laws - Statutes

- Sections 101 and 104 of CERCLA (definition of and authority for removal response)
- Section 113 of CERCLA (documentation requirements)
- Section 311 of the CWA, as amended by the OPA

II. CFR

- 40 CFR 300.410 - Removal Site Evaluation (Hazardous Substances)
- 40 CFR 300.415 - Removal Action (Hazardous Substances)
- 40 CFR Part 300 Subpart D - Operational Response Phases for Oil Removal

III. Federal Registers (significant notices)

- 55 FR 8666: March 8, 1990 - NCP Final Rule (revisions added by SARA)
- 59 FR 47384: September 15, 1994 - NCP Final Rule (revisions added by OPA)

IV. Policies and Guidance

- Superfund Removal Procedures OSWER, Directive Number: 9360.0-03B
- Guidance on Conducting Non-Time Critical Removal Actions Under CERCLA, Document Number: EPA 540-R-93-057, OSWER Directive Number: 9360.0-32
- Guide to Developing Action Memorandums, OSWER Directive Number: 9360.3-01FS
- Model Program for Removal Site File Management, OSWER Directive Number: 9360.2-01
- Superfund Fact Sheet: The Removal Program, OSWER Directive Number: 9320.0-05FSg
- Consideration of ARARs during Removal Actions, OSWER Directive Number: 9360.3-02 FS

V. Other Resources

- Superfund Office of Land and Emergency Management (OLEM),
<https://www.epa.gov/aboutepa/about-office-land-and-emergency-management>

COMMUNITY INVOLVEMENT

I. Laws - Statutes

- Section 113 of CERCLA

II. CFR

- 40 CFR 300.415(n) - Community Relations in Removal Actions
- 40 CFR 300.430(c) - Community Relations in Remedial Actions
- 40 CFR 300.430(e)(2)(iv) - Technical Assistance for Communities
- 40CFR 300.800 - Administrative Record

III. Federal Registers (significant notices)

- 55 FR 8666; March 8, 1990 - NCP Final Rule (revisions added by SARA)

IV. Policies and Guidance

- Superfund Community Involvement Handbook, Document Number: 540-K-01-003
- Superfund Removal Procedures: Public Participation Guidance for On-Scene Coordinators: Community Relations and the Administrative Record, OSWER Directive Number 9360.3-05
- Risk Assessment Guidance for Superfund: Volume 1, Human Health Evaluation Manual, Part A: Community involvement in Superfund Risk Assessments, Document Number: EPA 540-R-98-042
- Superfund Technical Assistance Grants, OSWER Directive Number: 9230.1-05FSA

V. Other Resources

- Superfund Community Involvement Home Page website:
<https://www.epa.gov/superfund/superfund-community-involvement>

HUMAN HEALTH/ECOLOGICAL RISK ASSESSMENT

For Baseline Human Health Risk Assessments:

- Risk Assessment Guidance for Superfund (RAGS), Volume I: Human Health Evaluation Manual: Part A, Baseline Risk Assessment. Interim Final. December 1989. EPA 540/1-89/002. NTIS PB90-155581.
- Supplement to Part A: Community Involvement in Superfund Risk Assessments. March, 1999. EPA 540-R-98-042. OSWER Directive 9285.7-01E-P. NTIS PB99-963303.
- Part B, Development of Risk-Based Preliminary Remediation Goals. December, 1991. EPA 540/R-92/003. OSWER Directive 9285.7-01B. NTIS PB92-963333.
- Part C, Risk Evaluation of Remedial Alternatives. December 1991. EPA/540/R-92/004. OSWER Directive 9285.7-01C. NTIS PB92-963334.
- Part D, Standardized Planning, Reporting and Review of Superfund Risk Assessments. January 1998. EPA 540-R-97-033. OSWER Directive 9285.7-01D. NTIS PB97-963305.
- Risk Assessment Guidance for Superfund, Volume III - Part A, Process for Conducting Probabilistic Risk Assessment. December, 2001. EPA 540-R-02-002. OSWER Directive 9285.7-45. NTIS PB2002 963302.
- Supplemental Guidance to RAGS: Calculating the Concentration Term. June 22, 1992. OSWER Directive 9285.7-08I.

- Standard Default Exposure Factors. Interim Final. OSWER Directive 9285.6-03. March 25, 1991.
- Final Guidance Data Useability in Risk Assessment (Part A). April 1992. OSWER Directive 9285.7-09A. NTIS PB92-963356.
- Guidance for Data Useability in Risk Assessment (Part B). May 1992. OSWER Directive 9285.7-09B. NTIS PB92-963362.
- Dermal Exposure Assessment: Principles and Applications. January 1992. EPA 600/8-91/011B.
- Exposure Factors Handbook, Volume 1. 1997. EPA/600/P-95/002Fa.
- Exposure Factors Handbook, Volume 2. 1997. EPA/600/P-95/002Fb.
- Exposure Factors Handbook, Volume 3. 1997. EPA/600/P-95/002Fc.
- Air/Superfund National Technical Guidance Study Series, Volumes I, II, III, and IV. 1989. EPA 450/1-89-001,002,003,004.
- Final Soil Screening Guidance, May 17, 1996. Soil Screening Guidance User's Guide. Office of Solid Waste and Emergency Response. EPA/540/R-96/018.
- Soil Screening Guidance: Technical Background Document. EPA 540/R-94/126.
- EPA Risk Characterization Program. Memorandum from Administrator Carol Browner. Office of the Administrator, Washington, DC. March 21, 1995.
- Provisional Guidance for Quantitative Risk Assessment of Polycyclic Aromatic Hydrocarbons. Office of Research and Development, Washington, DC. EPA/600/R-93/C89.
- PCBs: Cancer Dose-Response Assessment and Application to Environmental Mixtures. Office of Research and Development, Washington, DC. EPA/600/P-96/001A.
- Revised Interim Soil Lead Guidance for CERCLA Sites and RCRA Corrective Action Facilities. July 14, 1994. OSWER Directive 9355.4-12.
- Calculating Upper Confidence Limits for Exposure Point Concentrations at Hazardous Waste Sites. December, 2002. OSWER Directive 9285.6-10.
- For Baseline Ecological Risk Assessments:
- Guidelines for Ecological Risk Assessment, Final. April 1998. EPA/630/R-95-002F.
- Ecological Risk Assessment Guidance for Superfund, Process for Designing and Conducting Ecological Risk Assessments. June 1997. EPA/540-R-97-006. OSWER Directive 9285.7-006. NTIS PB97-963211.
- Ecological Risk Assessment / Management Principles. October, 1999. OSWER Directive 9285.7-28P.
- Ecological Assessment of Hazardous Waste Sites: A Field and Laboratory Reference Document. EPA 600/3-89/013. March 1989.
- EcoUpdate: Intermittent Bulletins, Supplemental Guidance to RAGS, Vol. II. EPA Publications 9345.0-051.

Exhibit C – Acronyms

ARAR	Applicable or Relevant and Appropriate Requirements
ASTM	American Society for Testing and Materials
BA	Brownfields Assessment
CAA	Clean Air Act
CBRN	Chemical, Biological, Radiological, Nuclear
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CERCLIS	Comprehensive, Environmental Response, Compensation & Liability System
CFR	Code of Federal Regulations
CLP	Contract Laboratory Program
CO	Contracting Officer
COR	Contracting Officer's Representative
CSA	Chemical Safety Audit
CT	Counter Terrorism
CWA	Clean Water Act
DQO	Data Quality Objective
E.O.	Executive Order
EE/CA	Engineering Evaluation/Cost Analysis
EOC	Emergency Operation Center
EOC	Emergency Operations Center
EPA	Environmental Protection Agency
EPASS	EPA Personnel Access and Security System
EPCRA	Emergency Preparedness and Community Right to Know Act
e-QIP	Electronic Questionnaires for Investigations Processing
ERNS	Emergency Response Notification System
ERRS	Emergency and Rapid Response Services
ESI	Expanded Site Inspection
ESI/RI	Expanded Site Inspection and Remedial Investigation
FAR	Federal Acquisition Regulation
FBI	Federal Bureau of Investigation
FEMA	Federal Emergency Management Agency
FOIA	Freedom of Information Act
FR	Federal Register
FRP	Facility Response Plan
GFP	Government Furnished Property
GIS	Geographical Information System
HAZCAT	Hazard Categorization
HAZWOPER	Hazardous Waste Operations and Emergency Response
HRS	Hazard Ranking System
HSP	Health and Safety Plan
HSPD	Homeland Security Presidential Directive
IA	Integrated Assessment
ICS	Incident Command System
IRIS	Integrated Risk Information System
IS	Independent Study
METH	Methamphetamine
MSHA	Mine Safety and Health Administration
NACI	National Agency Check and Inquiries

NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NIMS	National Incident Management System
NIOSH	National Institute for Occupational Safety and Health
NPFC	National Pollution Fund Center
NPL	National Priorities List
NRF	National Response Framework
NTIS	National Technical Information Service
OPA	Oil Pollution Act
OPM	Office of Personnel Management
OPP	Oil Pollution Prevention
OSC	On-Scene Coordinator
OSHA	Office of Safety and Health Administration
OSWER	Office of Solid Waste and Emergency Response
PA	Preliminary Assessment
PA/SI	Combined Preliminary Assessment and Site Inspection
PDD	Presidential Decision Document
PO	Project Officer
POC	Point of Contact
POLREP	Pollution Report
PPE	Personal Protection Equipment
PRP	Potentially Responsible Party
PSB	Personnel Security Branch
QA	Quality Assurance
QAPP	Quality Assurance Project Plan
QC	Quality Control
RA	Removal Assessment
RAGS	Risk Assessment Guidance for Superfund
RCP	Regional Contingency Plan
RCRA	Resource Conservation and Recovery Act
REOC	Regional Emergency Operations Center
RI	Remedial Investigation
RI/FS	Remedial Investigation/Feasibility Study
RMP	Risk Management Plan
RQ	Reportable Quantity
RRT	Regional Response Team
SAM	System for Award Management
SARA	Superfund Amendments and Reauthorization Act
SI	Site Inspection
SIP	Site Inspection Prioritization
SMD	Security Management Division
SOW	Statement of Work
SPCC	Spill Prevention Controls and Countermeasures
SR	Site Reassessment
START	Superfund Technical Assessment & Response Team
USCG	United States Coast Guard
WMD	Weapons of Mass Destruction

Exhibit E – EPA Regional Offices

EPA has ten regional offices, each of which is responsible for several states and territories. Each Regional Office is responsible within its states for the execution of the Agency's programs.

Region 1	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut
Region 2	New York, New Jersey, Puerto Rico, and Virgin Islands
Region 3	Pennsylvania, West Virginia, Virginia, Maryland, Delaware, and District of Columbia
Region 4	Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida
Region 5	Minnesota, Wisconsin, Michigan, Illinois, Indiana, and Ohio
Region 6	Texas, Oklahoma, New Mexico, Arkansas, and Louisiana
Region 7	Iowa, Nebraska, Kansas, and Missouri
Region 8	Colorado, Montana, North Dakota, South Dakota, Wyoming, and Utah
Region 9	California, Nevada, Arizona, Hawaii, Guam, Trust Territories, American Samoa, and Northern Mariana Islands
Region 10	Washington, Oregon, Idaho, and Alaska

EPA CROSSOVER AND BACKUP REGIONAL NETWORK

Every Region has established a Memorandum of Understanding with its backup Regions for the purposes of providing and receiving cross-regional support during significant incidents that may exhaust the personnel or resources of one Region. Each EPA Region should have access to, and the ability to accommodate, a primary and a secondary backup Region, as well as other Regions' and National assets, as needed.

Exhibit F – Levels of Personnel Background Check and Drug Screening for Contractor Employees

The contractor shall provide qualified personnel that meet the background check and drug screening requirements established below. The EPA has established two levels of criteria. The Level 1 background check criteria apply to all contractor employees working at a response site. Level 2 contains background check criteria and drug screening requirements that apply to all contract employees working at sites that are designated by EPA as “Sensitive Sites.” Examples of such sites include those that involve law enforcement activities, apparent or suspected terrorist activities, any indoor cleanups (including private residences), drug lab cleanups, and response actions at geographically sensitive locations such as military installations and government buildings. The Contracting Officer or On-Scene Coordinator will notify the Contractor whenever EPA designates a response site as a sensitive site. The designation will be provided to the Contractor in the task order, work assignment, or verbally, as the situation warrants. If a background check has been performed within one (1) year prior to the requirement for the background check, the contractor need not conduct another background check.

LEVEL 1 - EPA Background Check Criteria:

- Can be a non U.S. citizen with a valid visa.
- No convictions for crimes involving issues of National Security. A "national security crime" is defined as any criminal activity involving espionage or foreign aggression against the United States, intelligence or counterintelligence activities, including development of defense plans or policies, concerned with undermining or overthrowing the government of the United States and unlawful handling or disclosure of classified information.
- No weapons offense in the last five (5) years.
- No felony conviction in the last three (3) years.
- Not a fugitive from justice.
- Not listed in the System for Award Management (SAM) as an excluded party. SAM is a web-based database that consolidates information from throughout the U.S. Government on federal contracts or subcontracts. The SAM is available at: <http://www.sam.gov>.

LEVEL 2 - EPA Background Check Criteria For Sensitive Sites:

- Must be a U.S. citizen.
- No convictions for crimes involving issues of National Security. A "national security crime" is defined as any criminal activity involving espionage or foreign aggression against the United States, intelligence or counterintelligence activities, including development of defense plans or policies, concerned with undermining or overthrowing the government of the United States and unlawful handling or disclosure of classified information.
- No weapons offense in the last ten (10) years.
- No felony conviction in the last seven (7) years.
- No misdemeanor conviction in the last five (5) years.
- No convictions for three (3) separate offenses in the last ten (10) years (excluding traffic offenses).
- Not a fugitive from justice.
- Not listed in the System for Award Management (SAM) as an excluded party. SAM is a web-based database that consolidates information from throughout the U.S. Government on federal contracts or subcontracts. The SAM is available at: <http://www.sam.gov>.

- Drug Screening at Sensitive Sites:

Contractor employees working at designated “Sensitive Sites” must pass, within the previous 90 calendar days, a drug test for the presence of marijuana, cocaine, opiates, amphetamines, and phencyclidine in conformance with the Mandatory Guidelines for Federal Workplace Drug Testing Programs first published by the Department of Health and Human Services in the Federal Register on April 11, 1988 (53 FR 11979, and revised on June 9, 1994 (59 FR 29908), on November 13, 1998 (63 FR 63483), and on April 13, 2004 (69 FR 196440); and Procedures for Transportation Drug Testing Programs, 49 CFR Part 40. References to “DOT “shall read, as “EPA” and the split sample method of collection shall be used.

The requirements in Level 1 or 2 may be waived by the Contracting Officers, on a case-by-case basis, at a specific location, or for a specific individual.

If the results of an employee’s background check or drug screening do not meet the criteria in either level 1 or 2, as required, the Contractor may apply for a waiver. To initiate the waiver process, the contractor must submit, in writing, the background report or drug test on the employee and an explanation of the need for the employee for approval by the Agency before the employee performs contract services for EPA. The contracting officer will notify the contractor of the Agency decision within five (5) days of receipt of the contractor’s request for a waiver. The contractor shall submit its request to the Director, Superfund/RCRA Regional Procurement Operations Division at:

By Mail:

U.S. Environmental Protection Agency
Director, Superfund/RCRA Regional Procurement Operations Division
Mail Code 3805R
1200 Pennsylvania Avenue, NW
Washington, DC 20460

By Courier/Hand Carried:

U.S. Environmental Protection Agency
Raoul Scott, Director
Superfund/RCRA Regional Procurement Operations Division
Bid and Proposal Room
Ronald Reagan Building, 6th floor, Room 61107
1300 Pennsylvania Avenue, NW
Washington, DC 20004

The Bid and Proposal Room hours of operation are 8:00 AM - 4:30 PM weekdays, except Federal holidays.

Exhibit G – Agency Security Requirements for Contractor Personnel

To safeguard the EPA workforce and comply with Homeland Security Presidential Directive 12 (HSPD-12), Executive Order (E.O.) 13467, E.O. 13488 and Office of Personnel Management (OPM) regulations, the EPA requires the following:

- **For Unescorted Access for 6 Months or Less**

Contractor employees needing unescorted physical access to a controlled EPA facility¹ for 6 months or less must be determined by the EPA to be fit before being issued a physical access badge (picture identification). A fitness determination is, per E.O. 13488, a decision by an agency that an individual has or does not have the required level of character and conduct necessary to perform work for or on behalf of a federal agency as a contractor employee. A favorable fitness determination is not a decision to contract with an individual. Contractor employees must undergo, at a minimum, an FBI fingerprint check of law enforcement and investigative indices (see Section 2).

- **For Unescorted Access for More than 6 Months**

Contractor employees needing unescorted access to a controlled EPA facility for more than 6 months are required to have an HSPD-12 smart card, called an EPASS badge. Eligible contractor employees must have a completed or initiated background investigation at the National Agency Check and Inquiries (NACI) level or above, comply with all other investigative and HSPD-12-related requirements, and be determined by the EPA Personnel Security Branch (PSB) to be fit (see Section 3). “Initiated” means that all initial security requirements have been met (paperwork is completed, submitted, and PSB-approved; favorable fingerprint results have been received; funding has been provided to cover the cost of the investigation; and PSB has sent notification that the individual may begin work).

To ensure timely contract performance, the contractor must be prepared to immediately submit upon contract award the contractor employee information detailed in Section 1.c. This applies also to incumbent contractors’ employees for follow-on acquisitions. All contractor employees under a new contract are subject to the requirements in Sections 2 or 3; however, the time needed to meet security requirements may be shorter for personnel who already have a favorable fitness determination.

Contractor employees may begin work on the contract start date provided all applicable documentation in Sections 1, 2, and 3 has been received by EPA and there is no derogatory information to preclude a favorable determination. Timely submission of contractor employees’ security forms and other required documentation is essential.

A favorable determination may be revoked at any time should EPA discover derogatory information that deems a contractor employee unfit. Contractor employees deemed unfit will not be allowed to continue under the contract, and the contractor will be responsible for providing replacements acceptable to EPA.

EPA may make a determination of a contractor employee’s fitness at any of the following points:

- When EPA prescreens the individual’s security forms. “Red flag” issues include:

¹ A controlled facility is an area to which security controls have been applied to protect agency assets. Entry to the controlled area is restricted to personnel with a need for access.

- Having been fired from a previous job or having left under unfavorable circumstances within the past 5 years (or longer, depending on the security form questions and type of investigation);
- Failure to register with the Selective Service System (applies to male applicants born after December 31, 1959);
- Within the past 5 years (or longer, depending on the security form questions and type of investigation), any arrest, charge, or conviction that has been upheld for violent or dangerous behavior or a pattern of arrests that demonstrates disregard for the law; or
- Illegal drug use within the previous year, or drug manufacture or other involvement for profit within the past 5 years (or longer, depending on the security form questions and type of investigation).
- When FBI fingerprint results are returned to the EPA;
- When OPM returns the individual's investigative results to the EPA; and
- When the EPA becomes aware that the contractor employee may not be fit to perform work for or on behalf of a federal agency. The contractor is responsible for monitoring its employees' fitness to work and notifying the EPA immediately of any contractor employee arrests or illegal drug use.

Initial Contractor Requirements

This section contains the contractor's initial security requirements, which must be met before contractor employees can perform work **on-site** at EPA under this contract.

- The contractor must identify a point of contact (POC) and alternate POC to facilitate security processes.
- The contractor must ensure that all foreign nationals who will work under this contract have a valid U.S. Immigrant Visa or nonimmigrant Work Authorization Visa. The contractor must use E-Verify to verify employment eligibility as required by the FAR.
- EPA requires contractor employee information for the investigative and EPASS processes. Immediately upon contract award or anytime new personnel are brought onboard, the contractor POC must log on to a secure, EPA-identified portal, create an account, and submit complete contractor employee information: Full name (as found on employment records and driver's license), Social Security number, date of birth, place of birth (city, state, country), citizenship, employee email address, EPA Program Office or Regional Office, and EPA work city and state. Note: Incomplete names, inaccurate names, and nicknames are unacceptable and may delay contractor employees' start date. Instructions and the portal link will be provided upon contract award.
- EPA will provide the login information for the portal. After submission of the contractor employees' data, the COR will notify the contractor POC if additional information or corrections are required. The COR's approval of the information triggers the investigative and EPASS processes.

Requirements for Contractor Employees Needing Unescorted Access for 6 Months or Less

- This section contains the requirements for contractor employees who are not eligible for an EPASS badge but who need unescorted physical access. The minimum security requirement is an FBI fingerprint check.
 - Before the contractor employee can begin work on-site at the EPA:
 - He/she must be fingerprinted by the EPA; arrangements will be made by the COR.
 - The contractor employee must satisfactorily respond to all questions/information requests arising from the EPA's review of the fingerprint results.
 - EPA must determine that the fingerprint results are favorable.
- Once all requirements in Section 2(a) are met, the COR/PO and contractor employee will be notified that the contractor employee can start work. Contractor employees will be issued a physical access badge and may work on-site at EPA. Contractor employees must sign a receipt acknowledging responsibility to safeguard the badge and surrender it when required (see Section 4.b).

Requirements for Contractor Employees Needing Unescorted Access for more than 6 Months

This section contains the requirements for contractor employees who are eligible for an EPASS badge and who must have, at a minimum, a NACI background investigation completed or initiated. Contractor employees needing access to sensitive information or otherwise occupying moderate or high-risk positions must undergo an investigation above the NACI level. The EPA will assign a position risk level to each position on the contract and identify which contractor employees are EPASS-eligible.

- EPASS-eligible contractor employees must undergo a background investigation appropriate to the risk level of the position occupied, as specified by the EPA; the minimum acceptable investigation is a NACI.
- Employees who have previously undergone a federal background investigation at the required level and who have worked for or on behalf of the federal government without a break in service since the investigation was completed may not need a new investigation. EPA will verify the investigative information and notify the contractor employee and COR if a new investigation is required. If an investigation is not needed, the contractor employee must still be fingerprinted by EPA for an FBI fingerprint check and have favorable fingerprint results returned before beginning work on-site at EPA.
- Before beginning work on-site at EPA, contractor employees who require a new background investigation must:
 - Complete and submit the appropriate OPM security questionnaire specified by the EPA via OPM's Electronic Questionnaires for Investigations Processing (e-QIP) system. Access to e-QIP will be provided by EPA. Foreign national contractor employees must, on the security questionnaire, provide their alien registration number or the number, type, and issuance location of the visa used for entry to the United States.

- For a NACI only, also complete the OF 306, Declaration for Federal Employment, as required by OPM for any NACI and available at http://www.opm.gov/forms/pdf_fill/of0306.pdf. Contractor employees must answer questions 1-13 and 16, then sign the form on the “Applicant” line, 17a.
 - Follow all instructions on the form(s), answer all questions fully, and submit signature pages as directed by EPA.
 - Be fingerprinted by EPA; arrangements for fingerprinting will be made by the COR.
 - Satisfactorily respond to all questions/information requests arising from EPA’s review of the forms or fingerprint results.
 - Receive favorable fingerprint results.
- Once all requirements in Section 3(c) are met, the COR/PO and contractor employee will be notified that the contractor employee can start work. Contractor employees may work on-site at EPA while OPM conducts the background investigation.
 - At a time and location specified by the EPA, contractor employees must report in person for EPASS identity proofing and show two unexpired forms of identification from the lists on Department of Homeland Security Form I-9. At least one of the documents must be a valid, unexpired state or federal government-issued photo ID; non-U.S. citizens must show at least one ID from Column A on Form I-9.
 - Before being issued an EPASS badge, contractor employees must sign a receipt acknowledging responsibility to safeguard the badge and surrender it when required (see Section 4.b). Contractor employees must meet all EPASS badge life-cycle requirements.
 - A contractor employee has the right to appeal, in writing through the contractor POC to the COR, the denial or revocation of an EPASS badge. If the COR believes the appeal is justified, he/she will forward it to the Security Management Division (SMD). SMD’s decision on behalf of the EPA will be final.

Ongoing Contractor Security Responsibilities

- The contractor POC must immediately provide updated information via the secure portal when new contractor employees are added to the contract. These contractor employees must meet all initial investigative requirements before beginning work on-site at EPA. The contractor POC must also update information via the secure portal whenever a contractor employee leaves the contract.
- The contractor POC must ensure that all EPA physical access and EPASS badges are returned to the COR as soon as any of the following occurs, unless otherwise determined by the Agency: (i) when the badge is no longer needed for contract performance; (ii) upon completion of a contractor employee’s employment; (iii) upon contract completion or termination.
- These EPA security requirements must be incorporated into all resulting subcontracts wherein contractor personnel working under the subcontract require EPA physical access.

Exhibit H – Green Audit Checklist

Below is a list of audit categories to be considered for site work and technical projects, as well as office and contract administration.

Emissions

- Heavy Equipment
- Idling Practices
- Disposal Facilities

Sampling

- Samples processed on-site
- Location of off-site laboratory
- Dedicated/Reusable sampling equipment

Water Use

- Time taken to re-vegetate excavated/impacted areas
- Flora selection
- Water used to maintain re-established vegetation
- Dust suppression
- Equipment & heavy equipment decontamination

Material Consumption & Waste

- Green purchasing
- Recycling
- Reduction of paper consumption via electronic deliverables
- Carpooling
- Certified green hotels
- Power reduction practices
- Renewable energy practices

Ecosystem

- Flora
- Water

Best Management Practices

- Bioremediation
- Clean Fuels & Emissions
- Excavation & Equipment
- Renewable energy integration
- Landfill covers
- Pump & treat technologies
- Soil vapor extraction